

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
AUGUST 19, 2002**

The Tippecanoe County Commissioners met on Monday, August 19, 2002 at 5:00 P.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President KD Benson, and Member Ruth E. Shedd; Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Knochel called the meeting to order and led the Pledge of Allegiance.

***APPROVAL OF MINUTES***

Commissioner Benson moved to approve the minutes of the August 5, 2002 Regular Meeting and the August 7, 2002 Executive Meeting as distributed, seconded by Commissioner Shedd; motion carried.

***APPROVAL OF CLAIMS***

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Shedd moved to approve the Claims for the periods ending August 9, 2002, August 15, 2002, and August 19, 2002 as submitted, seconded by Commissioner Benson; motion carried.

***HIGHWAY: Executive Director Mark Albers***

**BID AWARD: CR 400 S Extension & CR 500 W Reconstruction**

Mr. Albers recommended awarding the bid for the extension of CR 400 S, the reconstruction of CR 500 W, and the installation of two small box culvert structures to Milestone Contractors, L.P., the low bidder. The project also includes the reconstruction of the CR 500 W Norfolk & Southern RR Crossing and the jacking of two new culvert structures under the railroad. He also asked the Commissioners to accept the combination Bid Bond and Construction Bond for one hundred percent (100%) of the bid amount of \$669,162.43 and to sign the Contract for Public Work. Mr. Albers noted the bid amount, within the 5% limit, is 1.8% over the Engineer's estimate of \$657,484.60.

- Commissioner Benson moved to award the bid for the extension of CR 400 S and the reconstruction of CR 500 W to Milestone Contractors, L.P. and accept the Bid Bond and Construction Bond in the amount of \$669,162.43, seconded by Commissioner Shedd; motion carried.

**PROPOSAL: Construction Inspection Services for CR 400 S Extension & CR 500 W Reconstruction**

Mr. Albers requested approval of a Proposal submitted by H. Stewart Kline & Associates, Inc. to provide inspection services for the CR 400 S Extension and CR 500 W Reconstruction project. Their estimated fee is \$39,045.00 with a not-to-exceed amount of \$43,000.00. Mr. Albers said certain elements of the project will require full time inspection services with Kline serving as the County's liaison with the contractor, INDOT, and the Railroad.

- Commissioner Benson moved to approve the Proposal for Construction Inspection Services from H. Stewart Line & Associates, Inc. in the amount of \$39,045.00, seconded by Commissioner Shedd; motion carried.

**REQUEST FOR PROPOSALS: Engineering Services for Bridge #138**

Mr. Albers requested approval to distribute Request for Proposals (RFPs) to retain the services of a consultant to provide design services and construction inspection services required for the rehabilitation of Bridge #138 on CR 900 E. Mr. Albers said they will be using Innovative Bridge Fund monies for this project that will use fiber reinforced polymer for the bridge deck.

- Commissioner Benson moved to approve the distribution of RFPs for design services for the rehabilitation of Bridge #138, seconded by Commissioner Shedd; motion carried.

### **LEASE/PURCHASE AGREEMENT: 2002 Motor Grader Financing**

Of the six (6) lending institutions that responded to the RFP for financing the 2002 Motor Graders purchases, Fifth Third Bank had the low rate of 3.05%. Beginning August 2003, the Highway Department will make three (3) equal payments of \$207,703.27 but Mr. Albers said the loan can be paid off early. It was noted that these payments are subject to an annual appropriation by the County Council.

- Commissioner Benson moved to approve the financing proposal from Fifth Third Bank for the Motor Graders and to execute the Lease/Purchase Agreement, seconded by Commissioner Shedd; motion carried.

### **GRANTS OF RIGHT OF WAY: By Parcelization**

**Key #112-02400-0165:** 30' W of centerline of East County Line Rd; A part of the NE ¼ of the SE ¼ of Sec 24, Twp 23 N, R 3 W, Perry Twp from Marc A. & Regina A. Vaughn.

**Key #124-02100-0092:**

**Key #124-02100-0246:** 30' W from the East line of W ½, NE ¼; Part of the W ½ of the NE ¼ of Sec 8, Twp 24 N, R 4 W, Tippecanoe Twp on CR 75 E, from Julio A Ramirez & Deborah Cessna.

**Key #116-00300-0080:**

**Key #116-00300-0091:** 40' ½ width R/W of CR 800 S; A part of the NE ¼ of Sec 6, Twp 21 N, R 4 W, Randolph Twp from Donald J. & Mary I. Welsh as Co-Trustee or Successor Trustee to the Welsh Family Trust.

- Commissioner Benson moved to accept the Grants of Right-of-Way as presented, seconded by Commissioner Shedd; motion carried.

### **CERTIFICATES OF INSURANCE**

- Gulf Underwriters Insurance Co, Hartford Casualty Insurance Co, St Paul Surplus Lines for Chemi-Trol Chemical Co.
- Auto Owners Insurance for Wayne L Blacker
- Indiana Insurance Company for Fairfield Contractors, Inc.
- Pacific Employers Ins Co, ACE American Insurance Company for James H. Drew Corporation
- Pacific Employers Ins Co, ACE American Insurance Company for James H. Drew Corporation
- Great West Casualty Co. for Nettleton Specialized Carriers
- Indiana Insurance for Larry E Kelsey, Judith L Kelsey
- Acuity, Accident Fund Company, General Accident Ins Co of America for Baumgartner & Company Inc. dba Baumgartner Asphalt, Inc

### ***AGREEMENT: Counter Terrorism Response Equipment: Emergency Management Director Steve Wettschurack***

Mr. Wettschurack requested approval of an Agreement to provide for the distribution of Counter Terrorism Response Safety Equipment to Emergency Response Organizations in the County. These kits are being purchased by the State Emergency Management Agency using federal funds that are available following an assessment by the Department of Justice of Domestic Preparedness. Two hundred ninety five (295) Counter Terrorism Response Kits will be distributed to emergency response personnel who have received a specific amount of required training. Mr. Wettschurack said he needs the Commissioners approval of the Agreement before the State will place the order for Tippecanoe County.

- Commissioner Benson moved to approve the Agreement and authorize the President to sign it, seconded by Commissioner Shedd; motion carried.

***COURT SERVICES: Director Cindy Houseman***

Mrs. Houseman requested the creation of an additional Case Manager position to reduce the workload. The current Case Managers each have a caseload of 1200 regular cases and 84 intense cases. An additional person will reduce that to 800 regular cases and 56 intense cases per Case Manager. In addition, the Prosecutor has asked Court Services to perform Random Drug Screens for individuals on unsupervised probation.

Commissioner Benson asked if Interns from Purdue could help with the caseload instead of hiring an additional person. Mrs. Houseman responded that Interns are used to help with jobs like filing because they are only there for one semester.

- Commissioner Benson moved to approve a new Case Manager position for Court Services, seconded by Commissioner Shedd.

Commissioner Shedd cautioned that the County Council is examining all new positions whether they are funded by the General Fund or User Fee Funds. President Knochel interjected that user fees need to be sufficient to fund this position.

- The motion carried.

***ADDENDUM TO LEASE AGREEMENT: Eastside Square, LLC: Court Services***

This Lease Agreement with Eastside Square, LLC is for office space located at 117 N. 4<sup>th</sup> Street in Lafayette that is adjacent to current space leased by Court Services. The lease amounts are set out for five (5) years in the Agreement.

- Commissioner Benson moved to approve and execute the Addendum to the Lease Agreement for facilities for Court Services, seconded by Commissioner Shedd; motion carried.

***AGREEMENT FOR USE OF FACILITIES: Community Family Resource Center (CFRC) for BEAMES***

This Agreement between the County and the CFRC is for the continued use of South Side Community Center for the purpose of operating the BEAMES (Behavior Adjustment Mediation for Elementary Students) Program. The agreement will be in effect from August 1, 2002 through December 31, 2002 and will be used during the hours of 7:30 A.M. and 3:30 P.M. Monday through Friday.

- Commissioner Benson moved to continue the Agreement for Use of Facilities with the CFRC for the BEAMES Program, seconded by Commissioner Shedd; motion carried.

***ORDINANCE 2002-31-CM: Establishing Fees for Electronic Data Products & Services: Second Reading: GIS Administrator Khalid Hasan (See August 5 2002 Minutes for entire Ordinance.)***

This Ordinance was read and passed 2 – 0 on first reading on August 5, 2002.

Mr. Hasan said this Ordinance allows the update of fees for services but is more comprehensive than the previous fee schedule and restricts the resale of data.

Attorney Luhman explained that this Ordinance establishes the Electronic Data Fund with interest going into the General Fund.

Mr. Hasan said there has been no response from the public regarding this Ordinance.

- Commissioner Benson moved to approve Ordinance 2002-31-CM on second reading, seconded by Commissioner Shedd.

Auditor Plantenga recorded the vote:

John Knochel    Yes  
 KD Benson     Yes  
 Ruth Shedd    Yes

- The motion to approve Ordinance 2002-31-CM passed 3 – 0 on second reading.

***CONSULTING SERVICES AGREEMENT EXTENSION: UPP Business Systems, LLC: MITS' Systems Administrator Pete Allen***

Mr. Allen requested approval for the extension of the Consulting Agreement with UPP Business Systems, LLC for the services of Mike Salins who is working on the conversion for the new PARIS (Payroll, Accounting, Human Resources) Software Project. The live start-up date for the PARIS System has been rescheduled from October 1, 2002 to January 1, 2003. The Agreement, in the amount of \$52,200.00, will pay Mr. Salins \$72.50 per hour for a 40 hour week for 18 weeks.

Attorney Luhman said he examined the Agreement and objects to the provision in Section 18 requiring any legal action being brought in DuPage County, Illinois. He said it should say the laws of the State of Indiana.

- Commissioner Benson moved to approve the extension of the Consulting Services Agreement with UPP Business Systems, LLC subject to the language change noted by the County Attorney, seconded by Commissioner Shedd; motion carried.

***LAURAMIE TOWNSHIP: Trustee Bill Easterbrook***

Mr. Easterbrook requested a \$15,000.00 grant for the Lauramie Township Regional Sewer District to upgrade the Preliminary Engineering Review that requires an additional Environmental Review and possibly an Archeological Survey. Although neither were done in the original review, both will be required if Lauramie Township regionalizes with another sewer district such as Clarks Hill or Lafayette which the Indiana Department of Commerce is pressuring them to do. Lauramie Township received a \$750,000.00 grant from the State that must be spent by December 17, 2003 but can be used only for construction.

President Knochel inquired if there are homes that cannot be sold or are uninhabitable due to septic problems. Mr. Easterbrook responded that five (5) houses owned by banks are not saleable and three (3) lots owned by Habitat for Humanity cannot be built on until a sewer system is in place.

President Knochel stated that Mr. Easterbrook has worked diligently on this project, and he thinks it is worthy of further support from the County. Mr. Easterbrook said these funds may be reimbursed if they receive a Rural Development Grant.

- Commissioner Benson moved to authorize the County Attorney to draft an amended EDIT Plan to include a \$15,000.00 grant for the Lauramie Township Regional Sewer District for the Commissioners' approval, seconded by Commissioner Shedd; motion carried.

***ORDINANCE 2002-33-CM: Dissolving the Tippecanoe County-Lafayette: County Building Authority***

Attorney Luhman read the Ordinance:

(quote)

**ORDINANCE NO. 2002-33-CM**

**AN ORDINANCE DISSOLVING THE.**  
**TIPPECANOE COUNTY - LAFAYETTE: COUNTY BUILDING AUTHORITY**

**WHEREAS**, the Tippecanoe County - Lafayette: County Building Authority (the Authority) was organized pursuant to IC 36-9-13 for the purpose of financing, erecting and leasing a law enforcement facility to Tippecanoe County, Indiana; and

**WHEREAS**, the Tippecanoe County law enforcement facility financed, directed and leased to Tippecanoe County by the Authority has been deeded to Tippecanoe County upon final payment of the first mortgage bonds issued by the Authority to finance such facility; and

**WHEREAS**, the Tippecanoe County Governmental Building Corporation now serves the functions which were previously served by the Authority;

**NOW THEREFORE, BE IT ORDAINED**, that the Tippecanoe County - Lafayette: County Building Authority be and it is hereby dissolved.

**AND BE IT FURTHER ORDAINED**, that all assets of the Tippecanoe County -Lafayette: County Building Authority be transferred to the Tippecanoe County Governmental Building Corporation to be used for the purpose of the construction, equipping and furnishing of law enforcement facilities for Tippecanoe County, Indiana.

Presented to the Board of Commissioners of Tippecanoe County, Indiana, and read for the first time, and approved on first reading this 19<sup>th</sup> day of August 2002, by the following vote:

VOTE

BOARD OF COMMISSIONERS OF  
TIPPECANOE COUNTY

John Knochel

\_\_\_\_\_  
John Knochel, President

KD Benson

\_\_\_\_\_  
KD Benson, Vice President

Ruth Shedd

\_\_\_\_\_  
Ruth Shedd, Member

ATTEST:

\_\_\_\_\_  
Robert A. Plantenga, Auditor Tippecanoe County

(unquote)

Attorney Luhman explained that this Ordinance dissolves the Tippecanoe County-Lafayette: County Building Authority that built the current Jail. Any remaining funds can now be used by the Governmental Building Corporation.

- Commissioner Benson moved to approve Ordinance 2002-33-CM on first reading, seconded by Commissioner Shedd.

Auditor Plantenga recorded the vote:

KD Benson    Yes  
Ruth Shedd    Yes  
John Knochel    Yes

- The motion to approve Ordinance 2002-33-CM passed 3 – 0 on first reading.

- Commissioner Benson moved to suspend the rules and allow a vote on second reading the same day as presented, seconded by Commissioner Shedd; motion carried.
- Commissioner Benson moved to approve Ordinance 2002-33-CM on second reading, seconded by Commissioner Shedd.

Auditor Plantenga recorded the vote:

Ruth Shedd    Yes  
John Knochel    Yes  
KD Benson    Yes

- The motion to approve Ordinance 2002-33-CM passed 3 – 0 on second reading.

***APPOINTMENT: Common Wage Board***

- Commissioner Benson moved to appoint Margy Deverall as the Commissioners' taxpayer representative for several street projects, seconded by Commissioner Shedd; motion carried.

***POOR RELIEF DECISION: Isobel Ferguson vs Wea Township Trustee***

President Knochel announced the Commissioners decided in favor of the Wea Township Trustee following the Poor Relief Hearing on Isobel Ferguson's appeal for denial of assistance on Monday, August 5, 2002.

***REPORTS***

Reports from Wabash Valley Hospital and the Treasurer are on file in the Commissioners' Office for review.

***PUBLIC COMMENT***

None.

***ADJOURNMENT***

- Commissioner Benson moved to adjourn, seconded by Commissioner Shedd; motion carried.

Robert A. Plantenga, Auditor

**BOARD OF COMMISSIONERS OF  
THE COUNTY OF TIPPECANOE**

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John L. Knochel, President

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KD Benson, Vice President

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Ruth E. Shedd, Member

**ATTEST:**

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Robert A. Plantenga, Auditor